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AN ACT

RELATING TO HIGHER EDUCATION; PROVIDING PROCEDURES FOR ADDING  
PORTIONS OF SCHOOL DISTRICTS TO EXISTING TECHNICAL AND  
VOCATIONAL INSTITUTE DISTRICTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 21-16-14 NMSA 1978 (being Laws 1963,  
Chapter 108, Section 11, as amended) is amended to read:

"21-16-14. ADDITION OF SCHOOL DISTRICTS OR PORTIONS OF  
SCHOOL DISTRICTS TO EXISTING TECHNICAL AND VOCATIONAL  
INSTITUTE DISTRICTS.--

A. A technical and vocational institute district  
may be expanded by either the procedure in Subsections B, C  
and D of this section or the procedure in Subsections E and F  
of this section.

B. The qualified voters of a school district,  
portion of a school district, group of school districts  
within a county containing a technical and vocational  
institute district or in an adjoining county, not included in  
the technical and vocational institute district as originally  
formed, may petition the public education department to be  
added to the technical and vocational institute district.  
The department shall examine the petition, and, if it finds  
that the petition is signed by a number of qualified voters  
residing within the pertinent school district or portion of a

1 school district equal to ten percent of the votes cast for  
2 governor in such school district or portion of such school  
3 district in the last preceding general election, the  
4 department shall cause a survey to be made of the petitioning  
5 district or districts to determine the desirability of the  
6 proposed expansion of the technical and vocational institute  
7 district.

8 C. In conducting the survey, the department, in  
9 conjunction with the commission on higher education, shall  
10 ascertain the attitude of the technical and vocational  
11 institute board and collect other information it deems  
12 necessary. If on the basis of the survey the department  
13 finds that the proposed addition of the petitioning area will  
14 promote an improved education service in the area, it shall  
15 approve the petition. The secretary of public education  
16 shall proceed to call an election within the petitioning area  
17 and in the established technical and vocational institute  
18 district on the question of the inclusion of the petitioning  
19 area in the institute district.

20 D. If a majority of the votes cast in the  
21 petitioning area and a majority of the votes cast within the  
22 established institute district are in favor of the addition  
23 of the area, the department shall notify the local school  
24 board of each affected school district and the technical and  
25 vocational institute board of the results of the election and

1 shall declare the extension of the boundaries of the  
2 institute district to include the petitioning area in which  
3 the proposed addition referendum carried by a majority vote.

4 E. If a technical and vocational institute  
5 district includes less than all of a school district, the  
6 institute board, by resolution of a majority of the members  
7 of the board, may call an election within the institute  
8 district and in the portion of the school district that is  
9 not included in the institute district on the question of the  
10 addition of the excluded portion of the school district to  
11 the established institute district. Except where specific  
12 provision is otherwise provided by law, such election shall  
13 be conducted pursuant to the provisions of the School  
14 Election Law, with the president of the institute district  
15 serving in the place of the superintendent of schools in  
16 every case; provided that:

17 (1) the election may be held in conjunction  
18 with a regular election or as a special election;

19 (2) if a precinct lies partly within and  
20 partly outside the institute district, the parts of the  
21 precinct within and outside the institute district shall  
22 constitute separate precincts for purposes of the election;  
23 and

24 (3) precincts may be consolidated for  
25 purposes of administrative convenience.

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F. If a majority of the votes cast in the institute district and the portion of the school district that is outside the institute district are in favor of the addition of the excluded portion of the school district to the institute district, the board of the institute district shall declare the institute district to be expanded to include all of such school district.

G. Each area added to an existing technical and vocational institute district shall automatically be subject to any special levy on taxable property approved for the institute district for the maintenance of facilities and services and for support of bond issues."

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